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Eleventh session

SUMMARY RECORD OF THE 194th MEETING

Held at Headquarters, New York,
on Thursday, 23 January 1992, at 10 a.m.

Chairperson: Ms. TALLAWY

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Consideration of reports submitted by States parties under article 18 of the Convention (continued)

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial report of Barbados (continued) (CEDAW/C/5/Add.64)

1. At the invitation of the Chairperson, Ms. Alleyne (Barbados) took a place at the Committee table.

2. Ms. ALLEYNE (Barbados) said that her Government had noted the concern of members of the Committee, with regard to protective legislation in favour of women, that men should not be discriminated against in consequence. There had not yet been any complaints of that nature.

3. General information had been requested on the role and contribution of women in the tourist industry. There was an almost equal proportion of men and women in that industry and women were very actively involved in the service, accommodation and promotional areas. Women managed a large proportion of the hotels and guest houses in Barbados. With respect to the question of prostitution in relation to tourism, the Board of Tourism had not concluded that there was a link between the two; moreover, no such link had been confirmed in a report prepared by the University of the West Indies. Skills training was provided by several non-governmental agencies as a means of ensuring choices for young people. As for traffic in women, that phenomenon was not currently evident in Barbados. She noted in that connection that the Department of Immigration closely controlled entry into Barbados.

4. On the question of drugs, a group known as Citizens against Narcotics was active in discouraging young people from using drugs. Rehabilitation was available for drug offenders through hospital services.

5. On the question of exceptions to protection from discrimination countenanced by the Constitution, she noted that some such exceptions had been enacted so that the division of property on the breakdown of marriage and similar circumstances would not be unconstitutional.

6. All women had a right to legal aid, if need be, under the Community and Legal Services Act. The Bureau of Women's Affairs had supplemented those services by a legal aid project for women funded by the Inter-American Commission of Women of the Organization of American States. A group of attorneys had established a project to further enhance legal aid at the community level.

7. On the question of how the Convention was enforced in Barbados, under the country's legal system the Convention was not directly incorporated into the law of the land; rather, legislation relating to the provisions of the Convention had to be enacted.

(Ms. Alleyne, Barbados)

8. On the questions raised in relation to the ombudsman, she noted that cases were referred to the ombudsman through recognized procedures and that an annual report was published on his work.

9. With respect to women's use of the courts, women and men alike made use of the courts whenever their rights were infringed. With respect to the National Commission on the Status of Women, she noted that it had been an ad hoc group whose mandate had ended in 1978; its three-volume report contained 212 recommendations, which had been accepted and acted upon by the Government and formed the basis of its plan of action for women, which since 1980 had been overseen by a National Advisory Council.

10. Questions had been raised concerning female heads of household. Women became heads of household in Barbados as a result of divorce or of visiting relationships (where the father did not cohabit with the mother but bore responsibility for the maintenance of her children) or in cases where the father had reneged on his responsibilities. The law provided for rectification in all three cases.

11. Historically, the legacy of slavery had discouraged permanent family unions and marriage. As a consequence, different forms of unofficial marital arrangements had arisen, which were dealt with impartially by the law. For instance, the status of illegitimacy had been abolished in Barbados by the Status of Children Reform Act 1979; children born out of wedlock were regarded as the children of both parents. Women who were divorced, in a visiting relationship or in a stable union other than marriage where the parties had lived together for a period of five years had a right on separation to maintenance and to property distribution between the parties. The Family Law Act of 1981 had called for the widest possible protection and assistance to the family as the natural and fundamental group unit of society, particularly while it was responsible for the care and education of dependent children.

12. With respect to article 5, she noted that like any other country, Barbados was subject to several kinds of violence against women, mainly domestic violence, sexual offences and rape. Victims of the latter offences could seek either criminal or civil redress. In the case of domestic assault and battery, women often failed to follow through on complaints to the authorities, who were thus unable to prosecute. Legislation was being enacted on domestic violence, harassment and sexual offences, emphasizing their criminal nature. The legislation also allowed for counselling of the victim, the perpetrator and family members. Women's organizations had started to raise funds for a shelter for battered women. Victims were counselled by such agencies as the Family Welfare Service, the Child Care Board, where children were involved, and the Juvenile Liaison Scheme of the Royal Barbados Police Force.

13. A serious effort was being made to collect and collate gender-based statistics in order to gauge the effect of the law and services on violence

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against women. A study had been done on physical violence against women and followed up with a seminar involving relevant agencies and women's organizations. The latter were assisted by the Government in several ways; since 1970, there had been a minister responsible for women's affairs, and the Bureau of Women's Affairs formed part of that ministry.

14. With respect to the question on the large number of women's organizations, women chose the organizations with which they wanted to affiliate. The organizations served the community and national development by identifying issues of national concern and bringing them to the attention of the Government, often through their umbrella body, the National Organization of Women.

15. With regard to articles 7 and 8, several questions had focused on women in politics and decision-making. She wished to make it clear that women were actively involved in politics and decision-making in Barbados. There were very active women's sections in political parties and women were very politically aware. They canvassed, managed campaigns and organized materials for campaigns. However, there were very few women in Parliament. A survey done while the National Commission had been in existence had pointed to two specific reasons: family life was disrupted by the demands of public office and political campaigning in Barbados entailed merciless exposure of candidates' private lives. It was felt that even a quota system was not likely to change things in the short term. Women more often accepted appointments as members of the Senate or served on public corporations or boards. The Committee's comment on the low number of women's appointments would be drawn to the attention of the Government. She noted, however, that the Governor-General of Barbados was a woman.

16. With respect to article 9, women's organizations and the Government were currently reviewing the situation concerning the ability of married women to pass on citizenship to their children.

17. On article 10, the system of education from primary to tertiary level was coeducational. Family life education was a regular feature in schools; contraceptive information and facilities were readily available. However, the vexed issue of teenage pregnancy persisted, although the HIV/AIDS scare and the public programme of the National Advisory Council on AIDS seemed to be contributing to a reduction in such pregnancies.

18. On article 11, the principle of equal pay for men and women had been recognized in Barbados but was not yet a reality, except in agriculture.

19. Pensions in Barbados consisted of a contributory scheme, a non-contributory scheme for those who had never been employed, a pension from the workplace based on years of service or, in the public service, a scheme specifically for widows and children.

(Ms. Alleyne, Barbados)

20. Any cases of unfair dismissal on grounds of pregnancy would be considered by the courts and could result in compensation or possible reinstatement. It was possible that women were being denied jobs because of pregnancy, but the Bureau of Women's Affairs was unaware of any such complaints. Women on maternity leave received full salary, paid jointly by the employer and the national insurance and maternity leave authorities.

21. With respect to health and safety in the workplace, special measures had been enacted to protect women in circumstances that did not readily apply to men; for night work, adequate transportation and protection must be provided.

22. With respect to article 12, the Legal Termination of Pregnancy Act 1983-4 permitted the termination of pregnancy in special circumstances both prior to and after the twelfth week. The mortality rate was very low.

23. With regard to article 13, low-income persons were exempted from income tax below a threshold of $15,000.

24. Concerning the request, in respect of article 14, for clarification of rural and urban women's involvement in agriculture, in Barbados both rural and urban women worked in agriculture, the latter being transported to their place of work, especially during the sugar cane harvest.

25. Thanks to the availability of transportation and a network of schools, rural and urban children had equal access to education; that had been a national development priority for many decades.

26. With respect to article 16, divorce was provided for in the Family Law Act on the basis of irretrievable breakdown of the marriage as evidenced by 12 months' separation. Child support could continue beyond 18 years in specific circumstances such as education or training or physical or mental impairment.

27. Ms. BRAVO NUÑEZ DE RAMSEY asked whether women's low level of participation in politics was a result of the lack of incentives from official quarters and the failure of political parties to present women candidates in elections. The situation in Barbados appeared to be similar to that in other countries, where women's abilities and votes were used by political parties on behalf of male candidates.

28. Ms. LAIOU-ANTONIOU asked whether women's organizations had any access to the development assistance funds which Barbados received, and whether there was any way of ensuring that such funds were used to benefit women. She also wondered whether any legal provisions existed concerning equal pay for work of equal value. With regard to rape and battery, she wished to know whether it was only the female victim of such crimes who could claim compensation through the courts, or whether third parties could also avail themselves of that procedure.

29. Ms. SCHÖPP-SCHILLING said that the status of households headed by women remained unclear; she wished to know whether the large percentage of such households was viewed as a social and economic problem, as it was in other countries, and whether the women concerned were divorced, had never been married or had husbands who were working elsewhere. She would also appreciate information on the Government's plans for dealing with the issue.

30. Ms. ALLEYNE (Barbados) said that women's participation in politics was a relatively new phenomenon around the world. While Barbadian women did take part in politics, it would take some time before significant changes could be effected in that area. The Government had expressly stated that it would work towards increasing women's representation at decision-making levels, and the Bureau of Women's Affairs was assisting the Government in carrying out its mandate. Women themselves must take the initiative on the issue; it was to be hoped that women's conception of their role in politics would change over time. The third report of Barbados would show that some progress had been made; whereas there had previously been four women Senators, there were now six. One party had fielded six women candidates in the latest elections, but they had not been elected.

31. Women had access to international aid through their organizations, provided that the projects for which they requested assistance were in harmony with the national development focus. Women's groups frequently submitted project proposals to the Bureau, which then endorsed them and forwarded them to the appropriate agencies.

32. With regard to rape and battery, third parties could claim protection if they were also victims; in some cases, perpetrators felt themselves to be victims and to have acted in response to violence against them.

33. It was difficult to understand why so many households were headed by women without looking at the history of slavery, in which the institution of the family had been deliberately destroyed. For centuries, women had been required to handle family responsibilities, and had done so. In countries where the nuclear family prevailed, there was often a feeling that the family could not function unless a man was present; Barbados did not share that view. In the past, the extended family had served as an important support mechanism; now that many grandparents were working, the problems of single-parent households had become more evident. The Government had endeavoured to fill the gap by ensuring that high-quality day-care facilities were widely available, and day-care centres were also operated by the private sector. The standards laid down by the Child Care Board applied to both the State and the private sector.

34. It was necessary for Barbadian women to work and they had always done so. Women heads of household were often in a better position than married women, because the latter could do little without their husband's consent. Female heads of household were not economically disadvantaged, because women were deeply involved in the country's economy: for example, 60 per cent of

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the mortgages granted in 1991 had gone to women, a significant proportion of whom were single.

35. The CHAIRPERSON asked the representative of Barbados what steps she felt should be taken to further improve the status of women, in keeping with the Convention.

36. Ms. ALLEYNE (Barbados) said that her country's structural adjustment programme had had a severe impact on women in the workforce, particularly on women heads of household. The Government was focusing on programmes to cushion the impact of structural adjustment. Violence continued to be a major source of concern and international assistance in that regard was needed. The question of women's participation in politics was also of concern. A current programme of the Bureau of Women's Affairs to train women in leadership responsibilities, in cooperation with women's organizations, was in jeopardy for economic reasons. The Bureau itself was understaffed and in need of assistance. Technical assistance in organizing statistical information would also be welcome.

37. It was difficult to motivate women who were already involved in politics to take concerted action, because they were highly partisan, although there were some signs of a change in attitudes. Barbadian women did not feel comfortable with a militant approach; they preferred to work behind the scenes, where they were highly effective, and their role was greatly appreciated by the Government.

38. The CHAIRPERSON expressed appreciation to the representatives of Barbados for their clear and forthright presentation and for the information contained in the report. The Committee had noted that the Government had the political will to eliminate obstacles to the further advancement of women. The explanations given regarding women's participation in politics had been convincing, particularly in the light of the training programme undertaken by the Bureau. On the question of prostitution, the Committee was satisfied that the Government, in promoting tourism, was aware of the danger that prostitution might increase. As to the question of households headed by women, the representatives had clarified the historical background of the phenomenon and had outlined the Government's efforts to assist women in that situation.

39. While the status of women in Barbados was not unsatisfactory, she was glad that representatives of international organizations and specialized agencies were attending the current session; she urged them to consider the needs for assistance which had been outlined by the previous speaker. Funds should be provided to the Bureau to enable it to undertake a study of the impact of structural adjustment programmes on women in Barbados. The results of such a study would also be of benefit to other countries.

40. Ms. Alleyne withdrew.

Initial, second and third reports of Ghana (continued) (CEDAW/C/GHA/1-3)

41. At the invitation of the Chairperson, Ms. Akuffo (Ghana) took a place at the Committee table.

42. Ms. AKUFFO (Ghana) said that she would reply to questions posed by members of the Committee.

Article 2

43. The National Council on Women and Development (NCWD) was an autonomous government agency which reported to the Ghanaian Government through the Ministry of Mobilization and Social Welfare. The Council consisted of 15 distinguished women and men, including representatives of key ministries, and was headed by an Executive Secretary. There were five departments: plans and policy analysis; human resource development; aid and project coordination; research, statistics and information management; and finance and administration. Each of the 10 regions of Ghana had a regional office, and there were also district offices. The 1992 budget for the Council was about $400,000. In order to decentralize its work, the NCWD was coordinating its efforts with sectoral ministries and non-governmental organizations.

44. Care had been taken over the years to ensure that conflicts between State and customary law were minimized. Where such conflicts occurred, State law prevailed. A case in point was the situation where customary and ordinance marriage systems existed side by side. The proclamation suspending the 1979 Constitution (PNDC Law 42) had re-enacted most of the general provisions of the Constitution. Thus, there was still a fundamental law in force in Ghana.

Article 3

45. On the question of incentives for women to undertake work outside the home, in Ghanaian society women had always been economically active both inside and outside the home. Moreover, the working life of the average Ghanaian did not end at the official retirement age of 60 because of the concentration of the workforce in the informal sector and in agriculture.

Article 4

46. There was no time-frame for reviewing legislation that discriminated against women and making proposals to the Government, although it was hoped that laws would soon be passed to eliminate customary practices that militated against women. The prospects for the acceptance of any new proposals were high; the Council's proposals for the new draft constitution had been readily accepted. As noted in the report, discrimination against women was not simply the result of particular laws, however.

47. There was no stated Government position on temporary special measures, but certain policy decisions indicated a willingness on the part of the

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Government to institute such measures as were considered necessary. The measures implemented in the educational sector were one example. Recently, when the consultative assembly had been reconstituted, the Government had allocated a number of seats to women and women's groups, and it had taken similar action at the district assembly level. The Government also used the NCWD data bank in making appointments to boards and corporations.

Article 5

48. The NCWD organized a number of programmes throughout Ghana in English and in local languages to educate people about the Intestate Succession Law. The Ghana Federation of Women Lawyers (FIDA) also ran legal education programmes. Considerable consciousness-raising on that law was also being carried out by the 31 December Women's Movement and other women's groups, particularly those of religious bodies. Women were being encouraged to make wills so that their property would not go automatically to their husbands.

49. Public education on widowhood rites was directed at both men and women. Several traditional rulers who were men had accepted the legislation on widowhood rites and issued edicts against them.

50. The situation of Ghanaian women described in the report was based on the matrilineal and patrilineal systems of inheritance in Ghana. Even when matrilineal inheritance occurred, it was essentially within the patriarchal system of control.

51. While the existence of negative widowhood rites and other forms of violence against women was acknowledged in Ghana, it was difficult, in view of socio-cultural, economic and other factors in Ghana, to obtain reliable data.

52. The Government had traditionally provided annual budgetary allocations to a number of non-governmental organizations; the figures involved, however, were not immediately available.

53. The NCWD planned in its medium- and long-term programmes to increase measures aimed at changing traditional attitudes and practices towards women; it was hoped that the socialization process would eventually help in that area.

54. In matrilineal societies, ascendance to the Stool (throne) was through the female line. When a chief died in a matrilineal society, he was succeeded by his sister's son. If the chief had no sister, the son of a maternal female cousin inherited the throne.

55. Customary practices relating to widowhood rites, customary divorce on grounds of witchcraft, etc., varied from one ethnic group to another. The Government, the NCWD and non-governmental organizations were campaigning vigorously for all ethnic groups to review such practices and eradicate those that Ghana as a whole could not accept. Those efforts were gradually being supported by traditional rulers and family elders.

(Ms. Akuffo, Ghana)

56. A number of studies had been undertaken by government agencies and various faculties of the three universities in Ghana to determine whether women accepted their situation under traditional law. The extensive demand for counselling and legal services on those issues was an indication of women's displeasure at a number of traditional practices. As a result mainly of formal education, awareness drives and recognition of the increasingly important economic contribution of women to households, Ghanaian women were gradually overcoming their traditional subservience to men. That development was being tacitly acknowledged by men.

Article 6

57. Research had been done on the rate and reasons for different types of prostitution in Ghana. Basically, prostitution was economically motivated. The Government, the NCWD, the Ministry of Health and other non-governmental organizations had mounted educational programmes to prevent the spread of diseases such as AIDS. There was also a nationwide programme to supply prostitutes with contraceptives. To reduce the incidence of prostitution, unemployed women, and also schoolchildren and young girls, were being encouraged to receive training in various trades.

58. Ghanaian consulates were required by law to assist all Ghanaians who entered their countries of accreditation. In cases where prostitution, traffic in women and other violations were reported to Ghanaian consulates, the consulates provided services that included legal aid and repatriation where necessary. Unfortunately, many cases were not reported to consulates because of fear of repatriation or of attracting official notice.

59. Programmes for moral upliftment had been moderately successful; efforts continued nationwide to that end. It was difficult to ensure the effectiveness of legislation against traffic in women because of the nature of the problem. However, the law did not spare culprits. Educational programmes on prostitution were ongoing.

Article 7

60. There were no up-to-date figures for comparison with the 1984 figures on women's participation in decision-making. The Government had been involved in a number of educational activities and awareness programmes to encourage more women to get involved in political activities and decision-making. Aid coordination in Ghana was undertaken by the International Economic Relations Division of the Ministry of Finance and Economic Planning. A number of women served in very high decision-making positions in the IERD. The NCWD was also represented on the NaTCAP set up by UNDP to coordinate decision-making on the allocation of donor assistance. In addition, the Council, through its aid and project coordination unit, ensured that women benefited from donor-assisted projects.

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Article 8

61. Under PNDC Law No. 42, a person born in Ghana was a citizen if either of his parents or grandparents was or had been a citizen of Ghana; a person born outside Ghana was a citizen if either of his parents was currently a citizen; and a child of not more than 16 years of age adopted by a citizen of Ghana became a citizen by virtue of adoption.

Article 10

62. In 1989, about 12.3 per cent of Ghanaian women had used family planning; that figure had increased slightly since then. The percentage was low because of the high premium placed on childbearing and because many members of the rural population needed large families to assist with economic activities.

63. Tuition was free at all levels of education in Ghana. Family planning education was widely available. The Planned Parenthood Association of Ghana, the Ghana National Family Planning Programme, the Ghana Social Marketing Programme, the NCWD, UNFPA and other agencies had undertaken programmes over the years to sensitize society to the advantages of spacing births, having fewer children, etc. There were two main categories of crèche: private crèches, and crèches subsidized by the Government or by non-governmental organizations such as the 31 December Women's Movement and the YWCA. Alternatives to crèches included the extended family system, where female family members helped take care of infants, and the use of household help.

64. The design and production of reading materials in English and all major local languages was an integral part of all major literacy efforts. State and private printing presses produced textbooks and other reading materials for schools and other educational purposes. The NCWD published a quarterly newsletter, Adenkum, with the aim of encouraging an exchange of relevant information among women.

65. According to available statistics, there had been more girls than boys in Ghana in 1984. As a result of worsening economic problems, many parents had been forced to withdraw their children from school and send them directly into trading at local markets. There had been an absolute increase in the population of uneducated girls compared with 1960, but as a percentage of the population, the proportion appeared to have decreased.

66. The correct figure for the average literacy rate for ages 35-44 in Accra was 64.9 per cent (table 10 of the report).

Article 11

67. "Self-employed" women were those engaged in small-scale industries such as food processing and crafts, agriculture and small-scale trading. The principle applied in State legislation was equal pay for equal work rather than equal pay for work of equal value. The Ghanaian statistical service was

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trying to improve the indicators used in collecting data on Ghana's gross national product, particularly on household income, so as to be able to quantify women's work.

68. The number of female-headed households had increased because of an increase in the number of men migrating to neighbouring and other countries, male irresponsibility, and the breakdown of marriages due to economic and other factors. Recently, many young, educated and economically independent Ghanaian women had been choosing to have children without getting married; there was no stigma attached to single motherhood.

69. The Labour Decree and the Industrial Relations Act were examples of laws that protected Ghanaians in the workplace. The Labour Decree provided for maternity leave for women, prosecution of employers who dismissed pregnant women and protection for women against performing work underground.

Article 12

70. The Ministry of Education, in conjunction with the Ministry of Health National Committee on Prevention of AIDS and various agencies and religious bodies, carried out educational programmes on AIDS prevention nationwide. Considerable resources were being devoted to educational programmes on the harmful effects of female circumcision, which was practised in some areas of northern Ghana. The NCWD was also campaigning against that practice through seminars and discussions. At the non-governmental level, the Association for the Welfare of Women had made the eradication of female circumcision its main priority.

Article 15

71. About 40 per cent of Ghana's population lived under the matrilineal system, and about 60 per cent under the patrilineal system. It was difficult to estimate the number of single women in Ghana, although it was known that their numbers were on the increase. Single women were free to engage in jobs and other remunerated activities.

Article 16

72. Women largely had freedom of choice in respect of marriage. Customary marriage formed the basis of ordinance marriage and marriage under Muslim ordinance. Under the Criminal Code of Ghana, wife-beating was an offence punishable by law and Ghanaian women did resort to the law in some cases. However, wife-beating was generally condoned in traditional society.

73. The CHAIRPERSON said that there was general agreement among members of the Committee that the Ghanaian Government had been frank in discussing the many problems faced by women in Ghana. The problems that persisted were related to traditions and customary law and the Committee had noted with appreciation the efforts made by the Ghanaian Government to reform legal

(The Chairperson)

codes. The high illiteracy rate among women was a complex problem with economic, social and historical causes. The Committee had noted the lack of statistics in the report; the Ghanaian Government was trying to overcome that problem and to provide more statistics on women in different walks of life. The Committee had noted with interest the programme established by the National Council on Women and Development to promote the advancement of women and overcome the problems they faced and to increase their awareness and promote their participation in public life; the Ghanaian Government should increase the Council's resources.

74. Ms. Akuffo withdrew.

The meeting rose at 12.25 p.m.